



LMH

Lady Margaret Hall

# **COLLEGE REGULATIONS**

## **2012**

## INTRODUCTION

A Lady Margaret Hall was founded in 1878 as the first women's College in Oxford. It started with the Principal and 9 students living in a house which still forms part of the present buildings ("Old Old Hall"). Women gained full membership of the University in 1920 and the women's colleges in 1960. In 1978 the College was granted a supplemental charter and amended its statutes to open membership of the College to men as well as women.

The College consists of:-

- (i) The Governing Body, which comprises the Principal and some 40 Fellows. Most of the Fellows are tutors who are required to direct and teach the students assigned to them, and who also pursue their own studies, lecture in the University, and teach pupils from other Colleges. Members of the Senior Administrative Staff, College Lecturers and distinguished academic visitors, together with the Principal and Fellows, make up the Senior Common Room (SCR).
  - (ii) The Middle Common Room (MCR), which comprises the graduate students of the College of whom there are about 170. They are required to study for a higher degree, diploma, or certificate of the University. The Tutor for Graduates has a general responsibility for their welfare and each graduate student also has a Fellow as College Advisor.
  - (iii) The Junior Common Room (JCR) of about 400 undergraduates who are required to study for an Honour School (i.e. an honours degree) and about 25 visiting students enrolled on a course of study approved by the Tutor for Visiting Students. Each undergraduate is assigned to a tutor in the College who is responsible for direction of studies and for tuition, either personally or by arrangement with other tutors.
  - (iv) The support staff of the College, who are responsible for much of its day-to-day working. There are about 80 permanent members of the staff, some of whom work part-time.
- B. The College is administered by the Governing Body in accordance with its Charter and Statutes, approved by the Queen in Council, and with the statutes of the University. The Governing Body makes appointments in the College, manages the College's financial affairs and is responsible for deciding major questions of educational policy. It delegates responsibility for detailed educational arrangements to the Education Committee, which consists of the Principal, Senior Tutor, Treasurer, tutors and others to whom the Governing Body has entrusted tutorial control over undergraduates.
- C. The main purpose of the College is to provide suitable conditions for both tutors and students to pursue their studies within the University. It is the essence of College life that residence and teaching are combined. Therefore, as well as providing tuition and a library, the College has made arrangements to ensure that most of its undergraduates, and many of its graduate students, may rent living accommodation during term in buildings within the College perimeter including LMH houses in Fyfield Road, in which domestic services are provided and in which they will have opportunities to meet informally at meals and at leisure. For these reasons undergraduates are normally required to live in this accommodation for three years of their course.

## REGULATIONS

### 1. GENERAL

- 1.1 "Undergraduates" includes undergraduate visiting students, exchange students and graduates reading undergraduate courses (second BA or BM). "Graduate students" includes graduate visiting students, exchange students reading graduate courses, and PGCE students. "Students" includes undergraduate and graduate students. "Members" includes SCR members and students.
- 1.2 Members shall not by their conduct interfere with the teaching or study of other members of the College or obstruct College officers in the execution of their duty.
- 1.3 All members of the College must at all times conduct themselves with proper regard for the needs of others and, in particular, must ensure that their behaviour and the behaviour of their guests does not disrupt or interfere with teaching or study or quiet and comfort for others living or working in buildings within the College perimeter including LMH houses in Fyfield Road.
- 1.4 Members must observe the University and College Code of Practice relating to Harassment.
- 1.5 All members are required to preserve the amenities of the College, its buildings and grounds. Members shall not, by their conduct or that of visitors and guests for whom they are responsible, involve the College in financial loss by deliberate damage or misuse of College services, equipment or premises.
- 1.6 All members are required to observe the rules laid down by the College officers to regulate their respective departments of the College.

### 2. THE UNIVERSITY

- 2.1 All new students reading for a degree must attend a University matriculation ceremony at the time required by the College.
- 2.2 Academic dress ("sub fusc") with appropriate cap and gown must be worn for matriculation and for University examinations. For women, it consists of a white blouse, black tie, dark skirt or trousers, dark stockings, dark footwear and if desired, dark coat. For men, it consists of a dark suit, dark socks and dark footwear, a white shirt, white collar and white bow tie. Dress should be appropriate for formal occasions.
- 2.3 All members of the University are required to observe the Statutes, Rules and Regulations of the University. Students of the University who have matriculated are subject to the jurisdiction of the Proctors.
- 2.4 The University provides a booklet on Essential Information for Students, also known as the Proctors' and Assessor's Memorandum. It is available on the University website. Relevant sections covering Conduct and Disciplinary Procedures can be found via the links below:

<http://www.admin.ox.ac.uk/proctors/info/pam/section10.shtml>  
<http://www.admin.ox.ac.uk/proctors/info/pam/section11.shtml>

You should familiarise yourself with these sections. Note that any behaviour which is deemed by the University to constitute a disciplinary offence is also considered to be

a disciplinary offence by the College, and will be treated as such under the procedures given in Bye-Law XI.4-11.

### **3. DISCIPLINE AND BEHAVIOUR**

#### **Standards and requirements of behaviour**

- 3.1 Students should be acutely aware at all times that one person's actions in a communal environment necessarily affect others. This consideration is a precursor to our expectation of behaviour which does not disrupt the lives of others in the College, be they fellow students, or staff, both academic and support staff. It should be regarded as a privilege to study and reside in the College, and with this privilege come responsibilities. The College reserves the right to remove these privileges if they are abused, and this is the principle underlying the procedures laid out in Bye-Law XI.4-11.

#### **Our agreement with you**

- 3.2 We expect to offer you an environment in which you feel safe, and are supported in your study and in your personal lives. To do this we expect you to observe high standards in your own behaviour as outlined above, especially as it relates to others working and living in College, and to the reputation of the College, both within the University and more widely. We try to keep rules about personal behaviour within College to a minimum. Their aim is to reduce noise and disturbance to other College members, and to maintain as high a degree of security and safety as practicable. The Dean is responsible for seeing that the College runs smoothly in accordance with the standards and requirements of behaviour expected and is able to impose financial and community service penalties. All members of the College are bound by the College Statutes, Bye-Laws, and Regulations. Members of the College are expected to make themselves familiar with these documents, and to behave appropriately. On a day to day basis, the Dean is supported by Junior Deans who live on the College premises, and the Lodge Porters.
- 3.3 If a student is subject to investigation for any offence the student should be informed at the earliest opportunity of the guidance and support available. If a student is in doubt about whom to speak to, the Welfare Co-ordinator will ensure they speak to the right person. Both the JCR and MCR have elected student welfare officers. Guidance is also available from Personal Tutors, the Senior Tutor, and Tutor for Graduates.
- 3.4 Copies of the Statutes, Bye-Laws, and these Regulations can be found on the LMH website on the links below:  
Statutes and Bye-Laws: <http://www.lmh.ox.ac.uk/About-LMH/Documents-Publications.aspx>  
College Regulations: <http://www.lmh.ox.ac.uk/Student-life/College-documents.aspx>

#### **College and the Law**

- 3.5 Although the College may seem to be a closed community, it is not. Please be aware that all the Laws of the Land still apply in College, and the Police have access at any time, should they wish. Our students are generally adult and so responsible for their own conduct inside and outside College. NOTE THAT ANYTHING THAT IS ILLEGAL OUTSIDE COLLEGE IS STILL ILLEGAL INSIDE COLLEGE and, if appropriate, steps will be taken to inform the police of illegal behaviour. Any student who is not an adult will have signed an agreement allowing parents or guardians to be involved in any issues that arise.

- 3.6 If prosecution in a court of law is likely for a particular offence, the College will take no disciplinary action, except, if necessary, to ensure the safety of others in the College or wider community, unless they are satisfied either that any criminal proceedings in respect of that breach have been completed, whether by conviction or acquittal or discontinuance of the proceedings, or that prosecution is unlikely. Any action taken would be likely to follow the procedures for Major Offences in Bye-Law XI.7.
- 3.7 If a student member is the subject of criminal proceedings in respect of an alleged offence of such seriousness that an immediate term of imprisonment may be imposed on conviction, or if a student member has been convicted of a criminal offence of such seriousness that an immediate term of imprisonment might have been imposed (and whether or not such a sentence was in fact imposed on the student member), she shall promptly inform the Dean in writing.

#### **4. ACADEMIC WORK**

- 4.1 Graduate students are required to satisfy their supervisors, College Advisers and College and Faculty/Department tutors about the quality and quantity of work and to visit the Tutor for Graduates and their College Adviser at the times arranged to discuss their work and progress so that the Tutor for Graduates' and College Adviser's duties towards them may be carried out.
- 4.2 Undergraduates are required to visit the tutors assigned to them at the times arranged, to satisfy their tutors about the quality and quantity of work, and to attend classes or tutorials with those to whom their tutors may send them. It is the custom to wear an academic gown to official meetings with the Principal, tutors, and other senior officers of the College.
- 4.3 Examples of breaches of Regulation 4.1 and 4.2 include:
- (i) failure to attend tutorials, classes, seminars, practicals and other laboratory work arranged by College tutors or in Faculties/Departments;
  - (ii) failure to produce written work set by College tutors or in Faculties/Departments, or the production of written work of inadequate quality or insufficient length;
  - (iii) failure to write College examinations ("collections"), or the submission of collection scripts of inadequate quality or insufficient length;
  - (iv) insufficient or inadequate preparation for tutorials, classes, seminars, practicals and other laboratory work arranged by College tutors or in Faculties/Departments;
  - (v) academic dishonesty, for example plagiarism or cheating.
- 4.4 Undergraduates receive termly reports from their College tutors.
- 4.5 Undergraduates who fail to pass the First Public Examination or any other University Examination are normally required to withdraw. One resit is permitted for the First Public Examination. An undergraduate concerning whom there is evidence of insufficient progress in academic studies or lack of industry may be reported to the Senior Tutor<sup>1</sup>, and shall be given a copy of Bye-Law XI.2 concerning the procedure to be followed in such cases. Any student so reported will be fully informed of the academic deficiencies which are complained of, and will have access to the Senior Tutor, to bring forward any special circumstances. The student must allow medical evidence to be obtained where it may be relevant. The student has the right to appear before any committee which is set up to consider the case and the right to bring an

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<sup>1</sup> If the Senior Tutor should be the Personal Tutor of the junior member in question, the Education Committee will appoint another Tutor to substitute for the Senior Tutor for this purpose.

appeal against the decision of the Governing Body to an Appeal Tribunal of the Conference of Colleges.

- 4.6 Awards: Scholarships, exhibitions and prizes may be awarded to undergraduates either for distinguished performance in Public Examinations or College examinations (known as "collections") or for outstanding tutors' reports. Scholarships and Exhibitions are subject to review before renewal for further years. Graduate awards may be awarded to graduate students on the basis of outstanding promise or achievement.
- 4.7 Undergraduates wishing to undertake paid employment during full term should consult their College tutors. They must also consult their College tutors before making arrangements to take part in any theatrical production in term or to stand for any major office in the Oxford Union Society, their Common Room or in any other College or University Society. Undergraduates, exchange students and visiting students are advised to consult their College tutors before undertaking any paid or non-academic work in a vacation.

## **5. THE LIBRARY**

- 5.1 Members of the Senior Common Room, Middle Common Room, and Junior Common Room who are resident in Oxford may use the Library and borrow books from it, subject to rules made by the Librarian. The Librarian has authority delegated from the Governing Body to impose library fines.
- 5.2 Other members of the College may use the Library by permission of the Librarian, but may not normally take books out of it.

## **6. FEES AND PAYMENTS**

- 6.1 All students must pay accommodation charges as required by their accommodation agreements, and all other College bills at such times as the Treasurer and Bursar may direct. These include bills submitted by the College on its own behalf and on that of the University.
- 6.2 College and University fees, charges and battels are payable in the first week of term unless otherwise specified by the Treasurer. If all or part of the fees or charges remain unpaid, without a satisfactory arrangement having been agreed with and confirmed in writing by the Treasurer, the student will be required to withdraw.
- 6.3 The College may charge interest, on a termly basis, on any sums outstanding from College and University fees, charges, battels and fines.
- 6.4 (i) In respect of undergraduate courses the Financial Fee Assessment (by Student Finance England, Student Awards Agency for Scotland or Education and Library Boards, Northern Ireland) must be received by the College by 31<sup>st</sup> August each year. If not, the College may require that the full amount of the fee invoice, irrespective of financial assistance, be deposited by the undergraduate at the due date.
- (ii) Privately financed undergraduates are expected to have demonstrated financial backing to the specification of the College (to the effect that, for the duration of their course, they are able to pay University and College fees and charges and to maintain themselves) by 31<sup>st</sup> August before the start of their course and in each succeeding year, and each year to have settled University and College fees at the latest by the end of the first week of Michaelmas Term.

- (iii) Future undergraduates who have accepted a place are required to give notice in writing by 1<sup>st</sup> July if they wish to relinquish it for reasons other than failure to meet specified examination results; otherwise they are liable to an administrative charge of £500.
  - (iv) Future undergraduates who have accepted a place and are permitted before the beginning of the academic year to defer entry shall be charged a non-refundable administration fee of £100.
- 6.5
- (i) In respect of graduate courses, graduate students, whether privately financed or sponsored or grant aided by private or public bodies, are expected to have demonstrated financial backing to the specification of the College (to the effect that, for the duration of their course, they are able to pay University and College fees and charges, and to maintain themselves) by 31<sup>st</sup> August before the start of their course and in each succeeding year, and each year to have settled University and College fees at the latest by the end of the first week of Michaelmas Term.
  - (ii) Future graduate students who have accepted a place are required to give notice in writing by 31<sup>st</sup> August if they wish to relinquish for any reason; otherwise they will be liable to an administrative charge of £500.
  - (iii) Future graduate students who have accepted a place and are permitted before the beginning of the academic year to defer entry shall be charged a non-refundable administration fee of £100.
- 6.6
- (i) Students who withdraw temporarily or permanently after the beginning of any term during the academic year are liable to be charged College fees and charges for the term following that for which written notice of withdrawal has been received. Students who do not wish to return after the Long Vacation to continue their course may be charged College fees and charges for the ensuing Michaelmas Term unless they have given six calendar months' notice in writing. Students who, for disciplinary reasons, are required to withdraw during a term remain liable to pay College and University fees and charges for that term.
  - (ii) Graduate students will not be permitted to suspend their status as research students unless all outstanding College bills have been paid, or satisfactory arrangements for payment have been agreed with and confirmed in writing by the Treasurer. In addition, they will not be allowed to confirm their status or apply for appointment of examiners unless all outstanding College bills have been paid, or satisfactory arrangements for payment have been agreed with and confirmed in writing by the Treasurer.
  - (iii) The University fee is a yearly charge and is not refundable in whole or part when a student withdraws for any reason during the course of the academic year.
- 6.7
- Students normally resident outside the European Union or students who are dependent on funds from outside the European Union, may be required to deposit a sum equivalent to one-third of the yearly College fee and charges and one-third of the yearly University fee for European Union or Overseas Students as applicable, four weeks before the beginning of their first term, in order to indemnify the College in the event of sudden withdrawal or non-payment of fees. The deposit is in addition to the College fees and charges and the University fee payable by all students in the first week of Michaelmas Term. The amount of the deposit may be offset against the amount due for fees and charges in the final term.

- 6.8 Students who as part of their course and with the approval of the College spend the whole of the academic year in another university or on an otherwise approved activity shall not be liable to pay College fees and charges for that year but will be liable to pay University fees at the rate specified by the University.
- 6.9 Students are warned that they may be charged at the end of the academic year should they require more than the normal amount of tuition, and that they must bear the cost of invigilation and/or the services of a typist, if, because of illness or for any other reason, they have to take any University examination in College and/or have any of their examination scripts typed.
- 6.10 Students are warned that the College will refuse to present them for degrees if at that time any debts, however incurred, are still owing to the College or to the University.
- 6.11 Students are warned that they are liable to pay both University and College fees for so long as they are working in Oxford, which means so long as they are using University or College facilities (libraries, laboratories, etc.), or are in receipt of any kind of tuition. Students resident in rooms in College buildings are deemed to be working in Oxford, and will only be permitted to reside in College buildings or use College facilities or receive tuition if University and College fees have been paid. This does not apply to graduate students reading for some research degrees, diplomas and certificates. For further details see the University's Examination Regulations.

## **7. RESIDENCE**

- 7.1 Living accommodation is provided to students under accommodation agreements. Students living in such accommodation are required to observe the terms of the accommodation agreement; failure to do so may lead to termination of the agreement and to disciplinary action by the College.
- 7.2 All graduate students must inform the Academic Administrator of their address, both while resident in Oxford and when living outside Oxford before having taken the higher degree, diploma or certificate.
- 7.3 Undergraduates are normally required to live in buildings within the College perimeter including LMH houses in Fyfield Road during term for three years of their undergraduate course and therefore must obtain the permission of their tutor if they wish to apply to the Education Committee for permission to live elsewhere. Undergraduates who do not follow the proper procedures for obtaining permission to live elsewhere may find themselves liable to payment of a fine.
- 7.4 Every undergraduate must arrive in the College by 1 p.m. on the Thursday before the beginning of each full term. First year undergraduates must arrive before 4 p.m. on the Monday before the beginning of Michaelmas Full Term.
- 7.5 Any undergraduate who lives in accommodation outside the College must inform the Academic Administrator of any change of address.
- 7.6 Undergraduates are reminded that the University residence required is a minimum of forty-two nights a term in residence.
- 7.7 Anyone who wishes to hold a party in a public room in College, or in a room provided under an accommodation agreement within the College, or in College grounds, or in one of the Common Rooms, must ask permission of the Dean. Permission will not be given for parties to continue later than 12.00 midnight on Fridays and Saturdays or later than 11.30 p.m. on other nights. Once permission is given, actual arrangements must be approved by the Bursar. The holder of the party is responsible for seeing that it does not cause any disturbance.

- 7.8 The College Bar may be used by members of the College and their guests. It is subject to the Licensing Act and the rules laid down for the supply of alcohol by the Bursar and Treasurer must be observed.
- 7.9 Talbot Hall, the Simpkins Lee Theatre, the Monson Room, the Mary O'Brien Room, and the Old Library may be used for meetings or rehearsals only with the permission of the Bursar.
- 7.10 No meeting may be held within the College without the permission of the Bursar. Permission for a meeting to be held must be obtained at least a week in advance except that in the case of a meeting to be addressed by a speaker who is not a present member of the College, permission must be obtained at least three weeks in advance. The Bursar is empowered to waive this requirement at his own discretion, but failure to obtain permission within the time laid down is of itself a sufficient cause for permission to be refused.

## **8. NOTICES**

- 8.1 Students are expected to read notices and messages on College boards and sent to their University email account. All students should call at the Lodge regularly to pick up letters and messages.

## **9. SECURITY, HEALTH AND SAFETY**

- 9.1 The College perimeter gates and entry points to buildings are closed at 7 pm. All members are issued with a key-fob which admits them when doors are locked. In the interest of security, all members of the College must exercise the greatest care with College keys and must immediately report the loss of any key or key-fob to the Porters' Lodge. College keys and key-fobs must only be used by the person to whom they are issued.
- 9.2 The College undertakes no responsibility for the property of members resident within the College perimeter including LMH houses in Fyfield Road whether in their rooms or elsewhere. College recommends that all students take out appropriate insurance. Residents should ensure that their rooms are kept locked. Any thefts or incidents should be reported immediately to the Porters' Lodge.
- 9.3 All members of the College are expected to familiarise themselves with Fire, Security and Bomb alert instructions and attend practices.
- 9.4 Fire may occur in pantries and care must be taken when cooking or using electric appliances. Members of the College must not use any form of cooking apparatus including toasters (other than an electric kettle) nor an iron in rooms within the College perimeter or in houses in Fyfield Road. Because of the risk of overloading, only fused electrical extension bars, not adaptor plugs, must be used. Portable electric heaters must be oil filled radiators; no other type of portable heater may be used. To comply with Health and Safety legislation, all portable electrical appliances brought into College buildings must be accompanied by a test certificate passing them as safe. A portable appliance is defined as being powered by the mains (this includes transformer powered equipment) and having a removable plug. A certificate of approval should be obtained from a qualified electrician. Any appliance for which a valid certificate is not held will be removed from the buildings. Further information about arrangements for the inspection and testing of portable appliances is available from the Bursary. Clothes must not be dried in front of electric fires. Be careful, note the position of fire extinguishers, and report to the Porters' Lodge if fire extinguishers have been used. Naked flames are not permitted in College buildings except within a specific controlled environment (e.g. Dining Hall, Chapel). Candles must not be

brought into buildings within the College perimeter or into houses in Fyfield Road, even for ornamental purposes.

- 9.5 No gun or ammunition or weapon may be brought into the College. This prohibition extends to pellet guns, air rifles, and all manner of replica firearms.
- 9.6 All members of the College should be aware of their own individual responsibility to exercise care in relation to themselves or those associated with them.
- 9.7 They should bring to the attention of the College (via the Porters' Lodge, Bursar or Treasurer) any question of safety or security about which they are concerned.
- 9.8 To enable College officers to account for the whereabouts of members and guests resident in College buildings or houses in Fyfield Road in case of fire or other emergency, students must record their own absence at night in the Dean's Exeat Book and must also record the names of any overnight guests in the Dean's Visitors Book; both books are kept in the Porters' Lodge. This is for safety reasons, particularly in the event of fire.
- 9.9 Members of the College are advised of the dangers associated with sports and with activities on the river. Any serious injuries or accidents must be reported immediately to the Porters' Lodge.
- 9.10 Please note it is against the law to smoke within all College buildings at all times.
- 9.11 Because of the dangers of the river, the risks associated with walking under trees in windy or stormy weather, and the dangers of extremely high voltages present within the electrical substation, students of the College must sign a form to show that they take responsibility for their own safety in College grounds.

## **10. MEDICAL**

- 10.1 On admission, students are required to complete a medical questionnaire or to arrange for the provision of a medical certificate. They must bring their medical card with them and register with the College Doctor, or with another doctor in Oxford, under the NHS or privately. During vacation students are eligible for treatment elsewhere as temporary residents.
- 10.2 Owing to the serious risk of the spread of tuberculosis the University requires that all incoming students previously living abroad in high risk areas must have their chests x-rayed. The necessary chest x-ray, which is free of charge, will be arranged in Oxford shortly after arrival unless the student can provide a chest x-ray film taken within the previous year.
- 10.3 Students who are unwell may consult the College nurse, and should do so if confined to their room within College and are requiring treatment. In cases of slight illness students may, at the discretion of the College nurse, be treated in their rooms. If seriously ill, or not fit to engage in full-time study, the College will require that they be treated in hospital or at home, and they or their parents or guardians will be responsible for any expenses involved.
- 10.4 Students who have no parent or guardian resident in the United Kingdom must inform the Academic Administrator of the name of a person resident in the United Kingdom who will take responsibility for them in serious ill-health or emergency.

## **11. BICYCLES, CARS AND BOATS**

- 11.1 Bicycles should be kept in the sheds and stands provided (not in buildings) and should have an identification tag (obtained from the Porters' Lodge) attached. Bicycles not displaying a tab will be removed from College premises. Bicycling on the paths in the College grounds is forbidden. The College accepts no responsibility for bicycles damaged or stolen, whether in term-time or vacation, wherever they are left.
- 11.2 Students should note that Oxfordshire County Council, on behalf of Oxford City Council, operates a residents' parking scheme in the roads leading to the College (Norham Manor). Metered parking is available for short periods and there is very limited free parking at weekends. Parking on College premises is also extremely limited and parking permits (£10 per term) will only be issued to students who have special needs (e.g. a medical condition). Application should be made to the Bursar. Graduates living in rooms in College houses in Fyfield Road are classified by Oxford City Council as "residents" and so are eligible for residents' parking permits, available from the Oxford Parking Shop in Speedwell Street. Graduates eligible for residents' parking permits may not apply for a College permit to park on College premises.
- 11.3 Anyone who uses any College boat must conform to the rules laid down for its use.

### **NOTE**

The College wishes to remind all students who take part in sport that they do so at their own risk.

## **12. COMPLAINTS**

### **Our aim**

- 12.1 Lady Margaret Hall is committed to providing a good education for its students. It also aims to provide appropriate support services and facilities.
- 12.2 We endeavour to ensure that all students will experience:
- a high quality of academic tuition and guidance;
  - appropriate educational resources such as library and ICT provision;
  - appropriate pastoral support;
  - a safe environment;
  - good accommodation and catering services;
  - easy access to relevant information.
- 12.3 Although living and working in protected historic buildings and grounds has many pleasant aspects, there are also practical difficulties and legal constraints. It is not always possible or even legal, to make apparently obvious improvements. But if you have suggestions for improving any aspect of the College's services and facilities, we would like to know. Please do not hesitate to let us know about any suggestions. For minor problems about premises email [faults@lmh.ox.ac.uk](mailto:faults@lmh.ox.ac.uk)

### **When things go wrong**

- 12.4 Sometimes things do not go as expected or as hoped. It is often sensible to ask for advice. Advice may always be sought from the people below (Table 1). Contact them by email, by a note in the College mail or by dropping into their office.
- 12.5 A member of the JCR Executive may be able to help too, or at least to direct you to an appropriate member of staff.

## Making a complaint

### Informal Procedure

- 12.6 If you consider that the advice you have received does not adequately address your problem, or if you feel that your problem warrants an immediate complaint, you should complain. Making a complaint is not a negative thing to do. It will help us keep our services under proper review and to make appropriate improvements as far as we can, both for you and for others.
- 12.7 The best way to resolve a problem is almost always to complain to the member of staff responsible (see Table 1). You may complain in writing, by email, or in person. If you wish to complain in person, you may bring another College member to support you.
- 12.8 The individual receiving the complaint will decide what to do and attempt to resolve your problem. Please be patient but do ask again if you feel that your complaint has not been dealt with adequately in a reasonable time

**Table 1: Areas of responsibility in College**

| <b>For:</b>  | <b>Ask:</b>  |
|--|--|
| Academic matters   | Your personal tutor or supervisor, or an advisory tutor, or the Senior Tutor or Tutor for Graduates, or the Tutor for Visiting Students for visiting students.                   |
| Administration relating to your course                           | Academic Administrator, or the Admissions and Access Officer for undergraduates and postgraduates, or the Administrator to the Visiting Students Programme for visiting students |
| Matters relating to the library                                  | One of the assistant librarians or the Librarian   |
| Practical financial matters                                      | Student Finance Officer or the College Accountant.   |
| Practical matters about accommodation                            | Your scout, or the Head Housekeeper or the Estates Manager.  |
| Catering and Meals   | Catering Manager or the Head Chef  |
| Personal post, lost or stolen possessions or security            | A Lodge Porter, or the Lodge Manager.  |
| ICT  | A member of the ICT team including the ICT Manager   |
| Health   | The College Nurse or the College Doctors   |
| Your welfare or the welfare of some other member of the College, | The Welfare Co-ordinator.  |

You will find a list of many of the current holders of the above posts in the Contacts and Who's Who section of the Undergraduate or Graduate Handbook. If in doubt, ask at the Porters' Lodge.

### Formal Procedure – stage one

- 12.9 If you consider that your complaint has not been handled adequately through the informal process, or if you feel that the complaint is serious, you may complain formally. Your complaint should outline the issue on which you are dissatisfied and, if possible, state the outcome you are looking for (e.g. refunding money, letter of apology, etc).
- 12.10 A formal complaint should be made in writing, or by email, to:

- the Senior Tutor on academic, health and welfare matters
- the Treasurer for financial and ICT matters,
- the Domestic Bursar for security, catering, and accommodation matters.

If you prefer, you may speak to one of them first before writing or sending an email. If your complaint is about one of these three individuals, you should write to the Vice-Principal. If one of those individuals dealt with the complaint at the informal stage, you should address the formal complaint to the Vice-Principal.

- 12.11 Complaints about another student's inappropriate behaviour should be addressed to the Dean who will deal with it under the Disciplinary procedure outlined in Bye-Law XI.4-11.
- 12.12 Complaints about a staff member's inappropriate behaviour should be addressed to the Domestic Bursar or the Treasurer.
- 12.13 The individual receiving your complaint will investigate it, and may ask to see you to discuss the matter. You may be accompanied to any discussion by another member of College. The decision will be reported to you in writing.
- 12.14 Every effort will be made to ensure your complaint is dealt with promptly and efficiently.
- 12.15 If a complaint is found to be malicious, disciplinary action may be taken under the procedure outlined in Bye-Law XI.4-11.

#### **Formal Procedure – stage two**

- 12.16 If you feel that the response from the formal stage is unacceptable you may refer your complaint to the Principal within seven days of receiving the response.
- 12.17 This must be made in writing, or by email, setting out the reasons why you are not satisfied with the response, the remedy you are seeking, and the actions you would like the College to take.
- 12.18 The Principal will consider the case, and will decide what action to take, if any, and may, if necessary, convene a Complaints Review Panel. The Principal and/or the Complaints Review Panel may ask to see you to discuss the matter.
- 12.19 The Panel will consist of two members of Governing Body who have not been involved in the case, and one student from the common room to which the complainant belongs, and who is independent of the case. The Senior Fellow present will chair the Panel. The Panel will report to the Principal, who will decide what action to take.
- 12.20 The decision will be reported to you in writing. This letter will clearly state that all internal procedures are now exhausted.
- 12.21 If you feel that the College has not dealt adequately with your complaint, you may be able to take your complaint to the Office of the Independent Adjudicator for Higher Education. Information about the OIA is available at <http://www.oiahe.org.uk> You will see that you cannot take a complaint to the OIA until you have exhausted the available complaints procedures. So, whether your complaint is about a relatively minor matter or a very important one, the starting point is always here in College.

## **Recording**

- 12.22 The Senior Tutor, Treasurer, Domestic Bursar, and Vice-Principal will keep a record of stage one formal complaints, and the Principal will keep a record of stage two formal complaints. A summary of numbers and decisions taken will be collated by the Treasurer for reporting to Equality Committee and Governing Body.

## ANNEX A

Extracted From: Lady Margaret Hall Bye-Laws Michaelmas Term 2011

### XI. MEMBERS IN STATU PUPILLARI

1. Every person admitted in statu pupillari (i.e. as a student) of the College shall be sent a copy of the College Regulations in force at the time. Alterations to College Regulations shall be notified to students in residence annually.

#### GOOD ACADEMIC STANDING

2.
  - a) All students<sup>2</sup> are expected to be in good academic standing with the College. A student shall be deemed to be in 'good academic standing' if he/she complies with all the following criteria:
    - i) Keeps the residence requirements laid down both by the University in the Examinations Regulations and by the College in the College Regulations. This includes gaining permission from the student's Personal Tutor or the Senior Tutor for all absences from College during full term.
    - ii) Passes the First Public Examination. A pass in Honour Moderations is defined as a pass at Honours level (minimum 3<sup>rd</sup> class honours). Two attempts are permitted unless a student has previously been placed on Academic Probation under the procedures outlined in 4.
    - iii) Attends on time all tutorials, classes and other required academic engagements, except where permission on adequate grounds is obtained, normally in advance, from the tutor(s) concerned or from the Senior Tutor.
    - iv) Produces all assignments (essays, problem sheets, practical reports etc.) on time, except where permission on adequate grounds is obtained, normally in advance, from the tutor(s) concerned or from the Senior Tutor.
    - v) Produces work (for tutorials, practicals, collections and University examinations) of an appropriate standard, given the student's particular level of academic ability. This is normally at least a 2.1 standard, or work that the Personal Tutor would consider consistent with graduation with a 2.1 classification.
    - vi) Sits Collections (College examinations) with the regularity required by the Personal Tutor, academic tutor(s) or Senior Tutor, except where permission on adequate grounds is obtained, normally in advance, from the Personal Tutor or Senior Tutor.
    - vii) Has not engaged in academic dishonesty, which includes plagiarism and cheating in Collections. Plagiarism is clearly defined in the Proctors' and Assessor's Memorandum.
    - viii) Complies with all the University academic requirements outlined in the Proctors' and Assessor's Memorandum, and all academic commitments made in both College and University contracts.

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<sup>2</sup>These procedures apply to all undergraduate students including visiting students and senior status students. Graduate students are covered by University regulations.

## ACADEMIC DISCIPLINARY PROCEDURE

3.

- a) If a student is not in good academic standing according to any of the criteria in 2, they may become subject to the Academic Disciplinary Procedure which has the stages set out in the following subsections and summarised in the flowchart in 3 d)

(i) Preliminary Warning

When academic concerns arise, these will be raised, typically by a subject tutor(s) and reported to the Personal Tutor. The Personal Tutor will meet with the student, and discuss the concerns and the required improvement. The Personal Tutor will inform the Senior Tutor of these concerns and if the student so desires, he/she may discuss these concerns with the Senior Tutor. If any mitigating or complicating factors come to light, they should (with the permission of the student) be noted. The Personal Tutor will give advice, which may be academic advice, but may include reference to College welfare support and to professional services such as the College Doctor, the University Counselling Service or the Disabilities Office. An email outlining the concerns, any advice offered and the improvement expected over a specified time period will be sent to the Senior Tutor and a copy sent to the student. At the end of the specified time period, if the expected improvement has been made, the student will be considered to be in good academic standing.

(ii) First Formal warning

If, having discussed the concerns with the student, the Senior Tutor and the Personal Tutor (with reports from subject tutors) believe that the necessary improvement has not been made, the Senior Tutor will give the student a formal warning. The Senior Tutor will call the student to a meeting. The student may meet with the Senior Tutor alone. The student may choose to be accompanied to this meeting by another student in the University, another member of the College, or an OUSU representative if he/she informs the Senior Tutor in advance of the meeting. In the latter case the Senior Tutor will invite a formal note-taker to record the meeting.

The Senior Tutor will specify to the student what is expected of him or her in the future (for example, attendance at tutorials, completion of assignments and/or attainment of appropriate levels in academic work or special Collections). Any special Collections set at this stage would be marked internally, but may differ from those set for other students.

The student will have the opportunity to raise any mitigating or complicating factors. The Senior Tutor will give advice, which may be academic advice, but may include reference to College welfare support and to professional services such as the College Doctor, the University Counselling Service or the Disabilities Office.

The Senior Tutor will draw the student's attention to these procedures and to the consequences of these procedures. Following the meeting, the Senior Tutor will write to the student as a formal warning and record of the meeting, noting any recommendations and expectations of improvement in a specified time period and will note any mitigating factors raised. The sending of this letter will be reported to the Education Committee. At the end of the specified time period, if the expected improvement has been made, the student will be considered to be in good academic standing.

If a student fails to attend this meeting, it may be deemed to have happened and a formal warning letter with academic conditions will be sent. In exceptional cases (see (vi) below), a student may be placed directly on a first formal warning.

### (iii) Academic Probation

If the student fails to comply with any of the conditions set out in the first formal warning, the Senior Tutor will call the student to a second meeting. The student may meet with the Senior Tutor alone. The student may choose to be accompanied to this meeting by another student in the University, another member of the College, or an OUSU representative if he/she informs the Senior Tutor in advance of the meeting. In the latter case the Senior Tutor will invite a formal note-taker to record the meeting.

The Senior Tutor will issue a further formal warning which will place the student on academic probation. The Senior Tutor will set academic conditions (for example, attendance at tutorials, completion of assignments and/or attainment of appropriate levels in Penal Collections). The Senior Tutor will draw the student's attention to these procedures and that failure to comply with any of these conditions may lead to suspension (rustication) or termination of the course (sending down). The student will have the opportunity to make known any mitigating factors.

The Personal Tutor (with advice from subject tutors) will advise the Senior Tutor on the appropriate conditions and levels of attainment for the particular student, including target grades for any Penal Collections. These may be discussed by the Senior Tutor and the student during the meeting.

Following the meeting, the Senior Tutor will write to the student as a formal warning and record of the meeting. This letter will detail the conditions of academic probation and performance targets set within a specified time period. Any mitigating factors which were raised will be recorded. The sending of this letter will be reported to the Education Committee. At the end of the specified time period, if the expected targets or conditions have been met, the student will return to the first formal warning stage for a further specified period (normally four weeks in term time).

If a student fails to attend this meeting, it may be deemed to have happened and a formal warning letter with academic conditions will be sent. In exceptional cases (see (vi) below), a student may be placed directly on academic probation without the preceding stages.

### (iv) Formal disciplinary hearing

In the event of non-compliance with any of the terms of academic probation, the Senior Tutor may recommend that the student should be suspended (rusticated) or their course terminated (sent down). Any such recommendation will be considered by a Committee of Inquiry (disciplinary).

A Committee of Inquiry is composed of three members of the Governing Body, chosen from a panel of ten agreed by the Governing Body at its first meeting in Michaelmas term. The panel must include five members with at least 10 years seniority, and must not include the Principal, Vice-Principal, Senior Tutor, or Dean. The three members will be chosen by lot, but must include at least one member with at least 10 years seniority. A Committee of Inquiry will not include the student's Personal Tutor, any of the student's subject tutors nor any other member who has had any significant involvement with the student.

The student has a right to appear at the formal disciplinary hearing and to bring one advisor or representative at their own expense. The student will be given at least two week's notice of the meeting. The student will be given copies of all materials that will be presented to the Committee of Inquiry (disciplinary) and will be informed of the names of the members of the Committee of Inquiry (disciplinary). The student may submit a written case to the Committee of Inquiry (disciplinary) up to 48 hours before the meeting, and is encouraged to do so.

If the student chooses not to appear at the meeting, the Committee of Inquiry (disciplinary) will review the evidence presented by the Senior Tutor and Personal Tutor and any written case presented by the student and make a decision. The Senior Tutor and Personal Tutor will be asked to present evidence to the Committee, but will withdraw prior to any decision being taken by the Committee.

The Committee of Inquiry (disciplinary) may uphold the Senior Tutor's recommendation, modify the Senior Tutor's recommendation, or it may reject the Senior Tutor's recommendation and then either impose a lesser penalty or impose a further period of academic probation. Should a further period of academic probation be imposed, the Committee of Inquiry (disciplinary) would set the conditions and notify the Education Committee of those conditions. If a period of suspension (rustication) is imposed, the Committee of Inquiry (disciplinary) may impose academic or non-academic (e.g. medical) conditions for a student to return to their course.

The Chair of the Committee of Inquiry (disciplinary) will ensure that a careful record is made of the proceedings and the Chair may invite a notetaker to the hearing. The report will clearly set out the grounds for action, the factors that were taken into account, and the final decision. A written copy will be sent to the student and to the Governing Body.

If the student chooses to accept the decision of the Committee of Inquiry (disciplinary), the Governing Body will confirm or rescind the decision at this stage. The Governing Body may also vary the penalty. If any penalty recommended, such as suspension (rustication) or termination (sending down), is confirmed by Governing Body, the penalty will then have immediate effect. If the student chooses to appeal, he/she will remain on course and on academic probation until the appeal has been heard and any decision confirmed by Governing Body.

(v) Appeal

The student may make an internal appeal, in writing, to a further Committee of Inquiry (appeal) which will be composed of 3 members from the panel not included in the formal disciplinary hearing. This appeal will consider procedural matters and will not question the academic judgement of the Committee of Inquiry (disciplinary). Such appeals must be made within 2 weeks of the date of the formal disciplinary hearing, and where possible, will be heard within two weeks of receipt of the written case. The decision of the Committee of Inquiry (appeal) will be reported to the Governing Body to confirm or rescind. The Governing Body may also vary the penalty. If confirmed by Governing Body the College procedure is considered closed and the penalty will then have immediate effect. Further appeal may be made to the Conference of Colleges' Appeal Tribunal and/or the Office of the Independent Adjudicator.

(vi) Exceptional cases

In exceptional cases, the Senior Tutor, in consultation with the student's Personal Tutor, may place a student directly on a first formal warning, or place a student

directly on academic probation, or recommend directly to a formal disciplinary hearing that a student's course be suspended or terminated.

Exceptional cases which will lead to the termination of a course will include any student who fails a University Examination which contributes to their degree classification, or fails to pass any other compulsory component of their degree course, or fails to complete any other compulsory requirements (e.g. practicals or fieldwork) laid down by the University as a necessary part of his/her course.

Any student who engages in academic dishonesty will be considered to have committed serious misconduct, and may be placed directly on academic probation or referred directly to a formal disciplinary hearing

Any student who fails any examination within the First Public Examination at the first sitting (even if they pass overall) will automatically be placed directly on academic probation.

#### b) Penal Collections

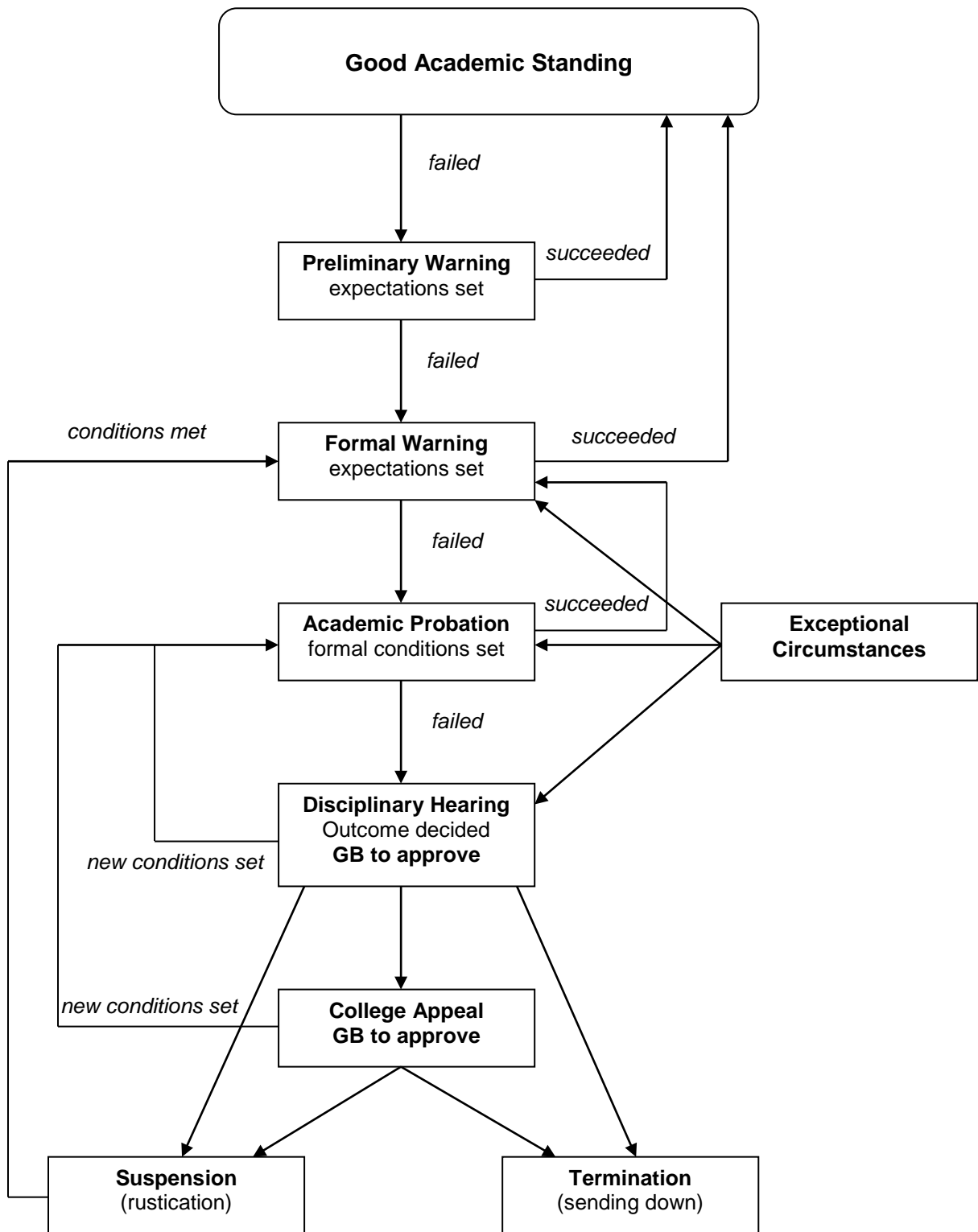
Where Penal Collections are set as a condition of Academic Probation the student will be given at least 4 weeks' notice of the date of these Collections. Penal Collections may be invigilated in a room apart from the standard termly Collections and may be set at any time during the term or vacation. If there are non-academic factors that a student feels will adversely affect their performance on Penal Collections, they must inform the Senior Tutor (or other person nominated by the Senior Tutor) in advance of the start of the Collection. If the mitigating factors are accepted by the Senior Tutor, the date of the Penal Collection will be postponed. Where the factors are medical, these must be supported by a medical certificate. Any problems affecting performance during the course of the Collection must be reported to the invigilator. No mitigating factors reported after the end of the Collection will be considered.

Penal Collections will be marked by two independent external examiners, who will be postholders in the University or other Colleges. The examiners will not be made aware of the identity of the student, or of the target grade set, but will be informed of the stage in the course that the student has reached and instructed to take this into account when deciding on an appropriate mark. Where the marks given are close (within 4 marks) the College will accept the higher of the two marks. Where the marks differ by more than 4 marks, the examiners will be asked to discuss the paper and agree a mark.

The Senior Tutor may set a target grade on University examinations where these are also designated as Penal Collections. In this case the target grade for Penal Collections will be higher than the University pass mark. The student will be given at least 4 weeks' notice of any target grade on a University examination. It is not possible to resit a Penal Collection.

- c) Throughout these procedures, any letter delivered to a student's College pigeonhole during term time, or message sent to a College email address will be deemed to have been received within 24 hours of being sent. Any letter outside term time sent to the home address held on the College database, will be deemed to have been received within 3 days of being sent. If a student does not attend any meeting, that meeting may be deemed to have happened or may proceed without the student in attendance. Any examination is only considered to be passed where the pass is at Honours level (university standard marks of 40 or above).

d) Academic Disciplinary Procedure Flowchart



## DISCIPLINARY PROCEDURE

4. All students are expected to observe good standards of behaviour. When a disciplinary offence has been committed, it will be dealt with appropriately. The Dean will decide which category of offence is appropriate.

### 5. Minor offences

a) Minor offences include:

- small-scale damage and vandalism;
- noisy or unruly behaviour that might be disruptive but not threatening;
- parking violations;
- misuse of ICT (email and internet), or Library services;
- smoking in designated non-smoking areas;
- rudeness towards staff, visitors, members of the public, other students;
- objectionable or insulting behaviour;
- failure to abide by general health and safety rules and procedures.

(Note that these are examples only and not an exhaustive list)

Minor offences, if committed to a sufficient degree or repeatedly, may be deemed major.

b) Minor offences would be normally brought to the attention of the Dean or, more usually in the first instance, the Junior Deans (the latter being on call), often via the Porters, who may have been alerted to a disturbance. If the matter can be peaceably resolved on the spot, no further action will be taken. For example, the student can be asked to reduce noise late at night.

c) If an interview with the Dean is appropriate, the Dean will meet with the offender, in the presence of a Junior Dean. Details of the offence will be sought. The matter will be recorded in an email to the offender, copied to the Personal Tutor, and to other interested parties. No further record will be kept.

d) The Dean, by delegation of powers from the Principal may impose community service, fines, restitution payments or restrictions on the use of College services and facilities by way of penalty. In these cases the matter would be brought to the attention of the Domestic Bursar and/or the Treasurer. Penalties will be proportionate and determined after discussion with the offender.

e) Minor offences are not subject to appeal.

### 6. Major offences

a) Major offences include:

- serious vandalism;
- harassment of others, bullying;
- grossly indecent or offensive behaviour;
- acts of unlawful discrimination;
- violent or threatening behaviour, fighting or physical assault;
- possession, supply or use of illicit drugs;
- theft, or unauthorised possession of money or property, whether belonging to the College, another student, or a third party;
- negligent destruction/sabotage of College property, or any property on the premises;
- serious breaches of health and safety rules that endanger the lives of or may cause serious injury to themselves or any other person;

- refusal to comply with reasonable requirements by the Porters, Junior Deans, or other members of staff to discontinue unacceptable behaviour and/or withdraw from the scene.

(Note that these are examples only and not an exhaustive list)

- b) Major offences are referred to the Principal. Penalties include rustication, suspension, temporary exclusion from the premises of the College and, in the most serious cases, expulsion. The nature of the current offence together with the disciplinary record of the student will be taken into account in determining the penalty. Definitions are given after XI.10 below.

## 7. Process Followed for Major Offences

- a) When the Dean considers that a serious disciplinary offence has been committed (that is one for which, if proved, rustication, suspension, temporary exclusion from the premises of the College, or expulsion would be an appropriate penalty) she shall inform the Principal in writing of the nature of the alleged offence. The Principal shall within three days write to the student concerned informing the student of the charges made and asking whether the student wishes to have the matter settled informally by the Principal or wishes to choose a formal hearing with the right of further appeal to the Disciplinary Appeals Committee of Governing Body. The student shall reply in writing within 48 hours. If the student does not so reply, the informal procedure shall apply.
- b) If the student opts for the informal procedure, the Dean shall supply the Principal and the student with a full written statement of the nature of the alleged offence and the Principal shall summon the student before her within three days of the receipt of the statement. The Principal alone shall hear the student's explanation and immediately determine an appropriate penalty, except that if the statement submitted by the Dean contains evidence which might lead the student to reconsider the decision to choose the informal procedure the student shall be given the opportunity to do so. The Dean shall not be present at the interview with the Principal, but the Principal may at her discretion have with her a member of the College secretarial staff to keep a record. Any decision involving rustication or expulsion shall require ratification by Governing Body.

Notwithstanding a student's decision to opt for the informal procedure, there shall always be a right of appeal to the Committee of Inquiry (appeals) if in fact the Principal decides that expulsion is the appropriate penalty.

- c) If the student elects to have the matter decided formally, the Principal shall ask the Dean to report in writing on the alleged offence with a statement of the available evidence. The Principal shall send a copy of these written statements to the student and indicate her intention to have a preliminary hearing within 7 days of the student's receipt of the statements. The student must within that time submit to the Principal a written statement of the student's case but may change it or add to it in the hearing before the Principal. At this hearing before the Principal, the student may bring either another student of LMH or a member of the Governing Body (who may be the student's tutor) to help put the student's case. Witnesses may be called or asked to submit written evidence at the discretion of the Principal and the hearing may be adjourned at her discretion. The Dean and the student shall be present throughout the proceedings. Should she so wish, the Dean may elaborate upon her original statement or comment upon the other evidence presented. The Principal, when she is satisfied that she has heard all the evidence she needs, shall reach a decision which she shall communicate in writing to the student giving the reasons for the decision and any penalties which may attach to it.

In formal procedure cases resulting in rustication, expulsion, or suspension, the student has the right of appeal to the Committee of Inquiry (appeals). If the student wishes to appeal s/he must do so within 7 days. If the student does not so appeal, the decision shall be reported to the Governing Body for ratification.

#### 8. Protective discretion

The Principal, in exercise of a protective discretion on behalf of other members and employees of the College, may require a student to leave the premises of the College, and not to re-enter them except on such terms and under such conditions as the Principal in her absolute discretion may impose, if, in the opinion of the Principal, the student's health or conduct is such as to damage or put at risk the safety and welfare of the student or other members or employees of the College.

- a) Without prejudice to the generality of the above, the following are examples of circumstances in which the Principal might need to exercise protective discretion:
  - (i) if the student is charged with or convicted of a criminal offence and, in the opinion of the Principal, the circumstances are such that it would be inappropriate for the student to remain on College premises;
  - (ii) if the student's conduct is threatening to persons or property, or disruptive of the proper functioning or activities of the College, and, in the opinion of the Principal, is likely to continue to be so if the student remains in or enters College premises pending the completion of the appropriate disciplinary procedures;
  - (iii) if the medical or psychological condition of the student is such as, in the opinion of the Principal, to present a risk to the safety and welfare of the student or of other members or employees of the College;
  - (iv) if the medical or psychological condition of the student is such that the student requires supervision and/or care which, in the opinion of the Principal, is beyond that which the employees of the College are qualified or able to provide;
  - (v) if the medical advice concerning the student is that the student should, in the interests of his or her physical or mental health, return home, engage in outpatient support incompatible with remaining of course, or seek admission to hospital;
  - (vi) if the student refuses to see a doctor or medical specialist or other appropriate professional, such as a counsellor, when the Principal has reason to be anxious about the student's physical or mental health or psychological condition.
- b) The duration of any order made by the Principal under these procedures shall not extend beyond the end of the term in which the order was made, unless the Governing Body decides that it should be extended.
- c) The Principal's decision in exercise of her protective discretion under these procedures shall in any case be reviewed by the Governing Body for confirmation, modification or rejection, at its first meeting after the action in question has been taken.
- d) Before the matter is considered by Governing Body, the Principal shall write to the student to invite him or her to bring forward any relevant matter for consideration by the Governing Body.
- e) For the avoidance of doubt, the premises of the College include the buildings and grounds within the College perimeter and the houses and gardens of houses in Fyfield Road occupied by members and employees of the College.

## 9. Appeal

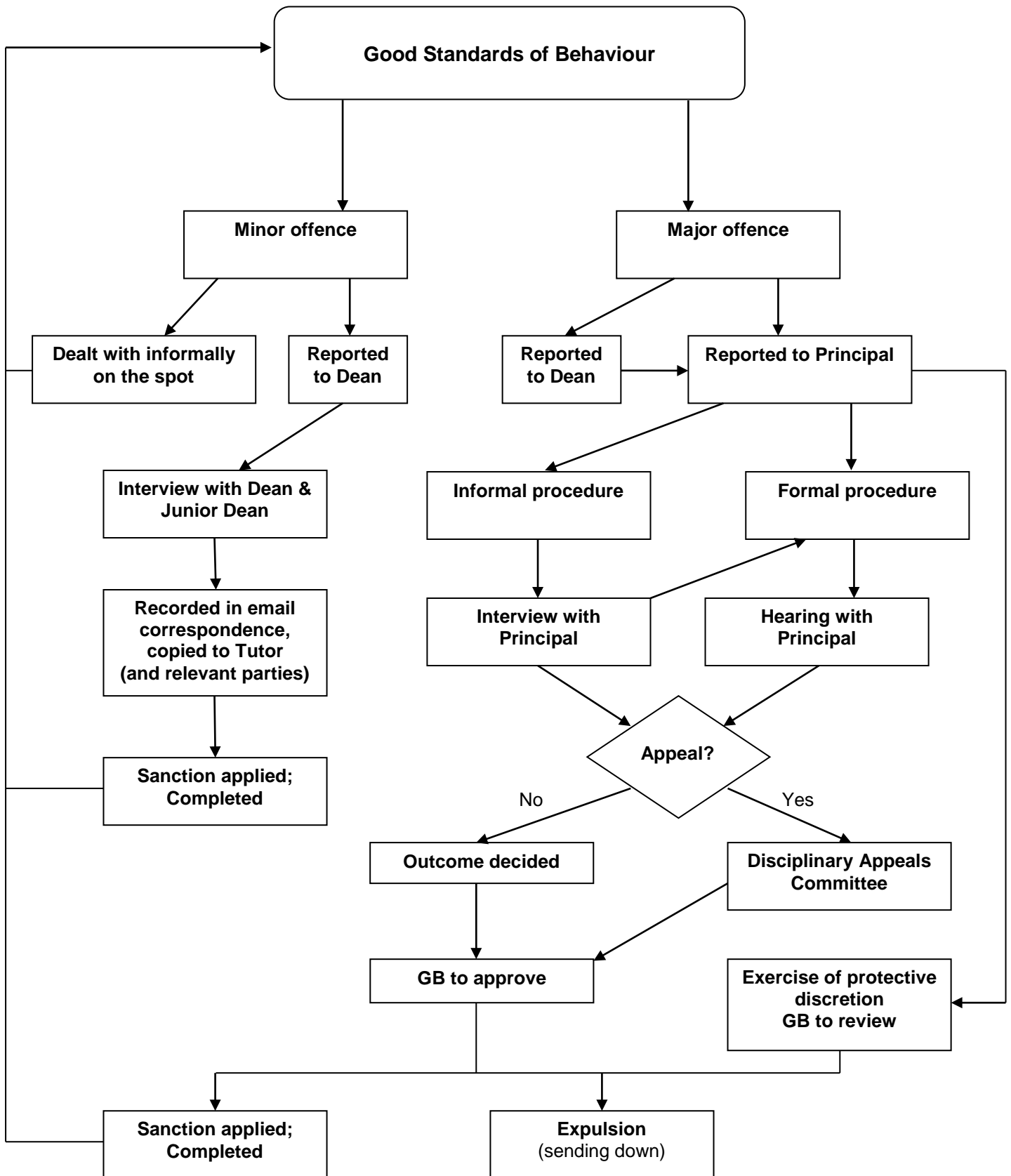
- a) A student affected by a penalty of rustication, expulsion, or suspension may appeal to the Committee of Inquiry (appeal), and the penalty is subject to confirmation by the Governing Body, whose decision is final. A student expelled from membership of the College automatically loses her University membership. A student rusticated or suspended by the College is also rusticated or suspended by the University.
- b) A Committee of Inquiry is composed of three members of the Governing Body, chosen from a panel of ten agreed by the Governing Body at its first meeting in Michaelmas term. The panel must include five members with at least 10 years seniority, and must not include the Principal, Vice-Principal, Senior Tutor, or Dean. The three members will be chosen by lot, but must include at least one member with at least 10 years seniority. A Committee of Inquiry will not include the student's Personal Tutor, any of the student's subject tutors nor any other member who has had any significant involvement with the student.
- c) The Committee of Inquiry (appeal) shall investigate the case as it thinks fit but must ensure that the student has an opportunity to state his or her case in person to the Committee. The student may bring either another student of LMH or a member of Governing Body (who may be the student's Tutor) to help put the student's case. The Committee shall review all the existing written evidence, and shall hear the Dean and the student concerned. It may also ask for other written statements and may call additional witnesses. It may propose any penalty it deems appropriate. Its decision shall be reported with reasons to the full Governing Body for ratification at the earliest opportunity.
- d) Further appeals may be made to the Conference of Colleges' Appeal Tribunal and/or the Office of the Independent Adjudicator.

10. The College shall respect and concur in any decision of the University Proctors or of the Disciplinary Court of the University or of the Appeal Court of the University to rusticate or expel a student from the University, to the effect that the College shall be regarded for all purposes and in all respects as part of the University and the terms of the penalty of rustication or expulsion shall be interpreted accordingly. The College shall act *mutatis mutandis* to reflect at the College level decisions by the University to suspend a student. A student affected by any such decision shall have no right to appeal or submit a statement in mitigation to the Governing Body.

## DEFINITIONS

- 'Expel' means deprive a member permanently of his or her membership of the College;
- 'Rusticate' means withdraw the right of access to all of the land, buildings and facilities of the College including teaching, examinations and all related academic services for a fixed period or until the fulfilment of specified conditions;
- 'Suspend' means withdraw the right of access referred to above for a fixed or indeterminate period or until the fulfilment of specified conditions where action is taken as an interim measure pending further investigation, or where action is taken under the LMH Statutes or Bye-Laws for non-disciplinary reasons.
- A penalty of suspension or rustication shall also apply to university land, buildings, facilities, or services (subject to a right of appeal to the Student Disciplinary Panel).
- 'Temporary exclusion from the premises of the College' applies only to College premises, not to University premises.

11. Disciplinary Procedure Flowchart



## Appendix to Bye-Law XI

### **CONFERENCE OF COLLEGES – APPEAL TRIBUNAL (“THE TRIBUNAL”) (Amended July 2005)**

- 1.1 The functions of the Tribunal shall be to consider appeals on disciplinary decisions made by the body with final jurisdiction within any participating College (for these purposes the Visitor shall be deemed not to be such a body). Disciplinary decisions means the imposition of penalties for breach of College statutes, by-laws, regulations or rules relating to academic or any non-academic matters, including a finding of breach itself.
- 1.2 The Tribunal shall not have appellate jurisdiction in relation to decisions which are exclusively within the province of the University disciplinary organs.
2. Each member of the Conference of Colleges shall nominate no more than three persons from their own Governing Body to serve, if appointed to do so as provided herein, upon the Tribunal: and a list of those persons so nominated (“the list”) shall be maintained at the Secretariat of the Conference of Colleges.
3. Conference of Colleges shall elect a chairman (“the Chairman”) and a vice-chairman (“the Vice-Chairman”) for such Tribunal, who will serve for three years from date of appointment. Such appointments can be renewed for a further term of three years only. The Vice-Chairman will exercise the functions of the Chairman if for any reason the Chairman is unable to do so.
4. Any student member of a participating College (“an appellant”) who wishes to bring before the Tribunal an appeal shall file a written application with the secretariat of the Conference of Colleges normally within 5 days of the date of the decision appealed against. The Chairman shall have power to extend such time if he considers that there is good and sufficient reason for so doing.
5. The application shall include
  - a) a copy of the decision being challenged
  - b) a brief statement of the facts, and of the arguments on which the application is based
  - c) the appellant’s request for a remedy
  - d) where applicable an application for a stay of the effects of the decision being challenged or for any other preliminary relief of an urgent nature
  - e) the appellant’s address, telephone number and, where applicable, the electronic mail address at which he/she can be reached for the purpose of the proceedings.
6. Upon the receipt of the application the Chairman shall constitute a Panel composed of three members appearing on the list (“the Panel”), and appoint a President of the Panel (“the President”), who thenceforth shall have responsibility for the proceedings of the Panel.
7. The President shall be the holder of a degree in law or a professional legal qualification. If no such person is available from among those on the list, the Chairman shall, at his discretion, appoint (with his or her consent) such a person with such qualifications from among other senior members of Colleges.
8. No person sitting on a Panel shall be a member of, or have any direct connection with, the College against whose decision the appeal is brought.

9. Any defence of lack of jurisdiction of the Panel must be raised as soon as possible or at the latest at the start of the hearing.
10. Both the appellant and the College can challenge a Panel member (including the President) if circumstances give rise to legitimate doubts as to his or her independence or impartiality. The Chairman is empowered to resolve any such challenge as soon as possible after giving the parties and the Panel member concerned, so far as circumstances permit, the opportunity to be heard. The challenge must be brought as soon as the reasons for the challenge become known.
11. In any case of extreme urgency the President may rule on any application for a stay of the effects of the challenged decision or for any other preliminary relief without hearing the College first. When deciding whether to award any preliminary relief the President shall consider whether the relief is necessary to protect the appellant from irreparable damage, the likelihood of success on the merits of the claim, and whether the interests of the appellant outweigh those of the College or other interested persons.
12. Except where it considers another form of procedure more appropriate, the Panel shall as soon as possible summon the parties to a hearing which normally should be held no later than 14 days from the Secretariat's receipt of the application. It shall attach a copy of the application to the summons to appear addressed to the College. The parties should notify the Panel as soon as possible of their proposed witnesses. It shall be the duty of the parties, to produce no later than 24 hours before the hearing, an agreed bundle of relevant documents, and an outline of each's respective submissions (which should be no longer than 10 pages in length, cross-referenced to such bundle).
13. The Panel may, either before or at the hearing, require of its own motion the production of documents, information or other evidence. At the hearing the Panel shall hear the parties who shall produce their witnesses and introduce their other evidence. The Panel shall have complete discretion as to the evidence which it admits and will be the sole judge of the weight to be given to any such evidence.
14. Both the appellant and the College may be represented by a third party, including at the Panel's discretion, by Counsel and/or a solicitor. The hearing itself (not including the Panel's internal deliberations) shall be in public unless, in the Panel's judgment, the interests of justice or other compelling public or private interest otherwise require.
15. If one party or both parties fail to appear at the date fixed for the hearing, without reasonable excuse, the Panel may nevertheless proceed to determine the appeal.
16. The Panel shall have full power to establish the facts on which the application is based; but, in so far as the parties agree, it will be entitled to assume that the facts as found by the body against whose decision the appeal is brought were correct.
17. The Panel shall rule on the dispute pursuant to the statutes, by-laws and other regulations or rules of the College, and any general principles of law applicable to the application which it deems appropriate.
18. The decision shall be taken by a majority of the Panel. It shall be written, dated and signed and immediately communicated to all parties by the President. Brief reasons will be stated with or as soon as possible after communication of the decision.
19. The Panel shall use its best endeavours to give a decision normally within 7 days of the hearing of the appeal.

20. The participating Colleges shall agree to give to the Tribunal and/or the Panel such assistance as either may require and to abide by the outcome of the decision of the Panel.

21. Except that where express provision is made herein, the Chairman, the President and the Panel shall have discretion as to appropriate procedure. In all or any of their activities each shall be guided by the principles of natural justice.

Michael J Beloff QC  
Nicholas Bamforth

July 2005